

## **REMARKS**

In response to the objection to the Specification, the application has been amended on page 1 to provide the appropriate cross-reference information to the various co-pending applications.

With regard to claim 16, the typographical error noted by the Examiner has been corrected.

With respect to claims 9 and 11, claim 9 has been cancelled and therefore there is no duplication of claims.

With regard to the rejection under 35 USC § 112, second paragraph, set forth in paragraphs 5 and 6 of Official Action, claim 5 has been amended to provide reference to content identifier instead of icon.

In view of the foregoing, respectfully submitted that the objections to the claims and specification and the rejection under 35 USC § 112, second paragraph are no longer applicable.

The Examiner in paragraph 8 rejected claim 16 under 35 USC § 102(e) as being anticipated by Safai (US patent 6,715,003) for the reasons set forth therein.

Claim 16 as amended, is directed to a method for managing image transmitted directly from an electronic camera to a recipient wherein the electronic camera has a device for a wireless transmission of the digital media to a recipient. The method includes receiving the digital media file over a wireless transmission from the electronic camera wherein the digital media file has a digital image file and an instruction icon with respect to the digital media file. The method further includes looking up an instruction associated with the instruction icon by the recipient and then implementing the instruction with respect to the said digital media file. The Examiner has argued that Safai (US patent 6,715,003) anticipates claim 16. While Safai does disclose the ability to attach an address to the image, it does not teach or suggest associating an instruction icon with respect to the digital file. Nor does it teach or suggest looking up an instruction associated with the instruction icon by the recipient and then implementing the instruction with respect to the digital media file by the recipient.

The image icon provided by the method of the present invention allows for a quick and easy association of an instruction with an image captured

by the electronic camera. Whereas in the Safai reference, there is a need for providing the instruction by the user of the electronic camera prior to forwarding to the recipient. In the present invention, the recipient looks up the instruction associated with the instruction icon. This allows the ability of having a plurality of different icons associated with a single image that can be implemented by the recipient. This also allows the user of the electronic camera to pick and choose various instruction icons to be associated with different images as opposed to having one image or all of the image subject to the same instruction. There is no teaching or suggestion of utilizing an instruction icon with respect to a digital image file or looking up an instruction associated with an instruction icon by the recipient and then implementing the instruction. The present invention improves the ease of sharing images and/or obtaining various services by the recipient of the digital image file. Applicant respectfully submits that claim 16 in present form is in condition for allowance.

The Examiner also rejected claims 1 and 2 under 35 USC § 103(a) as being unpatentable over Safai (US patent 6,715,003) in view of Hull et al. (US Patent 5,806,005) for the reasons set forth in paragraph 11. In this regard, applicant respectfully submits that claim 1 is not taught or suggested by the cited reference either individually or in combination as suggested by the Examiner. In particular, an important part of claim 1 is the ability for the user to create an electronic content identifier to be associated with the digital image file in the camera and for associating the content identifier with a digital image file. The claim 1 further sets forth that the content identifier identifies a recipient that the associated digital image file is to be forwarded. The electronic camera in claim 1 further includes a cell modem for sending the digital image file to a recipient. There is nothing in either of the references cited with respect to "creating an electronic content identifier to be associated with a digital image file in the camera and that the camera identifier identifying a recipient that the associated digital image file is to be forwarded. Safia merely teaches the forwarding of an image in accordance with an e-mail provided on the camera. There is no teaching or suggestion of creating an electronic content identifier to be associated with the digital image file in the camera as taught and claimed by applicant.

Claim 1 has also been amended to include the limitation of cancelled claim 5 wherein the content identifier is automatically generated in

response to analyzing digital image files and determines that the content identifier is present. There is no teaching or suggestion in either of the cited references that the content identified is automatically generated in response to analyzing the digital image file. In view of the foregoing, applicant respectfully submits that claim 1 in present form is in condition for allowance and such action is respectfully requested. In this regard, the Examiner in paragraph 24 rejected claims 5 and 6 under 35 USC § 103(a) as being unpatentable over Safai (US Patent 6,715,003) in view of Hull et al. (US Patent 5,806,005) and further in view of Goldberg (US Publication No. 2004/0008872) for the reasons set forth therein. However, the Goldberg reference is merely directed to a retrieval and capture system that utilizes various identifying identification systems for identifying a subject and images. The Goldberg reference is directed to capturing images of identified subjects either by carrying a tag or some other type of identification means including image recognition. However, there is no teaching or suggestion of automatically forwarding images in response to analyzing digital images for obtaining a content identifier as taught and claimed by applicant. The only teaching or suggestion of forwarding to an Internet address is by the user sending the images to a selected Internet address. See paragraphs 218, 220 and 221. There is no teaching or suggestion of automatically generating a content identifier in response to analyzing the digital image which later results in the forwarding of the image to a designated recipient. Furthermore, the Goldberg reference is directed to a totally different aspect than to which the Safia and all other references are directed. In particular, the Goldberg reference is directed to accumulating images of a particular subject whereas the Safia reference is directed to remotely developing and printing a photographic prints. While the references in some respect are directed to image capture, there is no teaching or suggestion as to why one would be motivated to the combination suggested by the Examiner. In order to properly combine references, there must be some teaching suggestion or motivation to make that subject combination. In the present situation, there is no teaching or suggestion to make the modification as suggested by the Examiner.

In view of the foregoing applicant respectfully submits that claims 5 and 6 in present form are in condition for allowance and such action is respectfully requested.

Claim 17 and 18 depend at least ultimately upon independent claim 16 and are therefore patentably distinct for the same reasons previously discussed.

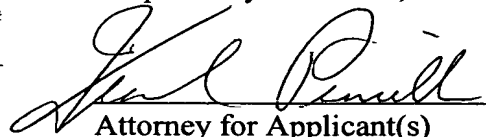
The Examiner in paragraph 18 rejected claims 14 and 15 under 35 USC § 103(a) as being unpatentable over Safai (US patent 6,715,003) in view of Goldberg (US Publication No. 2004/0008872) and further in view of Mattes (US Patent no. 6,038,295) for the reasons set forth therein.

Claim 14 is a system claim for transmitting digital images which is similar to the method set forth in claim 16 which applicant has previously discussed as being patentably distinct over the cited references. The Mattes reference does not teach anything which would render applicant's invention obvious. Claim 14 specifically sets forth that the recipient of the digital image is a software program for analyzing the digital image file for recognizing the preselected image content having an associated instruction and upon recognizing the image content further processing the digital image in accordance with the instruction. This is not taught or suggested by the cited references for the same reasons previously discussed. Claim 15 is dependent on claim 14 and is therefore patentable for the same reasons.

With regard to amended claim 7, this claim has been amended to incorporate the limitations previously set forth in dependent claim 8 which the Examiner has indicated as being allowable. Accordingly, amended claim 7 is believed to be in condition for allowance.

In view of the foregoing applicant respectfully submits that the claims in present form are in condition for allowance and such action is respectfully requested.

Respectfully submitted,



Attorney for Applicant(s)  
Registration No. 27,370

Frank Pincelli/djw  
Rochester, NY 14650  
Telephone: 585-588-2728  
Facsimile: 585-477-4646

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.